

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

IN RE: MICHAEL E. BRITTON  
DEBTOR

CASE NO. 16-50502-KMS  
CHAPTER 13

---

BANKPLUS'S OBJECTION TO DEBTOR'S MOTION TO REINSTATE CHAPTER 13  
BANKRUPTCY

---

BankPlus files this objection to *Debtor's Motion to Reinstate Chapter 13 Bankruptcy* (Dkt. # 186, the "Motion"), and in support thereof would show unto the Court as follows:

1. The Chapter 13 Plan (Dkt. # 15, the "Plan") for Michael E. Britton (the "Debtor") confirmed by the *Order Confirming the Debtor's Plan, Awarding a Fee to the Debtor's Attorney and Related Orders* (Dkt. # 107, the "Confirmation Order"), entered August 15, 2016, provided in relevant part that the Debtor was to make monthly payments to BankPlus in the amount of \$1,719.62 beginning in April 2015.

2. The *Agreed Order on Motion for (1) Relief from the Automatic Stay, and (2) Abandonment of Property of the Estate* (Dkt. # 149, the "Lift Stay Order") entered December 5, 2016 provided that the automatic stay under 11 U.S.C. § 362 would automatically lift if the Debtor became more than 30 days delinquent in Chapter 13 Plan payments to BankPlus, calculated from the first day of the first delinquent month.

3. On May 10, 2018, BankPlus mailed written notice of default to the Debtor and his attorney advising that the Debtor had become 72 days delinquent on his Plan payments, having a then past due balance of \$5,158.86.

4. On May 11, 2018, BankPlus filed an *Affidavit of Default* (Dkt. # 177, the "Affidavit") providing in relevant part that it mailed written notice of default to the Debtor and his attorney on May 10, 2018, and that the automatic stay terminated as of May 10, 2018, pursuant to the Lift Stay Order without further order of the Court.

5. Thereafter on July 11, 2018, a *Final Order of Dismissal* (Dkt. #181, the “Dismissal”) was entered, and the instant Chapter 13 Case was dismissed for the Debtor’s failure to keep his Plan payments current.

6. The Debtor subsequently filed this Motion on August 2, 2018, alleging that he had become current on his Plan payments. However, the Debtor has not become current or made any subsequent payments toward his Plan obligations owed to BankPlus.

**WHEREFORE, PREMISES CONSIDERED,** BankPlus prays that the Debtor’s Motion be denied. BankPlus further prays for general relief.

**THIS** the 23rd day of August, 2018.

Respectfully submitted,

**BANKPLUS**

By: /s/ William H. Leech

William H. Leech, MSB No. 1175  
Sarah Beth Wilson, MSB No. 103650  
Christopher H. Meredith, MSB No. 103656  
Shauncey G. Hunter, MSB No. 109185  
Michael D. Anderson, MSB No. 105523  
*Its Attorneys*

OF COUNSEL:

COPELAND, COOK, TAYLOR & BUSH, P.A.  
600 Concourse, Suite 100  
1076 Highland Colony Parkway (Zip—39157)  
P.O. Box 6020  
Ridgeland, MS 39158  
Telephone: (601) 856-7200  
Facsimile: (601) 856-7626  
bleech@cctb.com  
sbwilson@cctb.com  
cmeredith@cctb.com  
shunter@cctb.com  
manderson@cctb.com

**CERTIFICATE OF SERVICE**

I certify that I have this day served, via the Court's ECF Notification System, a true and correct copy of the above and foregoing on everyone signed up to receive ECF notices in this case, including:

David L. Lord  
lordlawfirm2@bellsouth.net  
*Attorney for the Debtor*

Nicholas Grillo  
Lordlawfirm2@bellsouth.net  
*Attorney for the Debtor*

J.C. Bell  
mdg@jcbell.net  
*Chapter 13 Trustee*

Samuel J. Duncan  
Sduncan@jcbell.net  
*Counsel to Chapter 13 Trustee*

United States Trustee  
USTPRegion05.JA.ECF@usdoj.gov

and via United States Mail, postage prepaid, upon the following:

Michael E. Britton  
18 Clara School Road  
Waynesboro, MS 39367

*Advantage Financial*  
*1910 Hardy St. Ste F*  
*Hattiesburg, MS 39401*

*Barclay's*  
*P.O. Box 8801*  
*Wilmington, DE 19899*

*Britton CPA LLC*  
*P.O. Box 917*  
*Waynesboro, MS 39367*

*American Express*  
*P.O. Box 650448*  
*Dallas, TX 75265*

*Bill McLeod*  
*McLeod & Associates*  
*10 Professional Pkwy*  
*Hattiesburg, MS 39402*

*Britton Investment Group LLC*  
*P.O. Box 917*  
*Waynesboro, MS 39367*

*Norman Trigg  
P.O. Box 33  
Clara, MS 39324*

*Prosper Marketplace  
P.O. Box 396081  
San Francisco, CA 94139-6081*

*Republic Finance  
1600 Hwy 15 N. STE 300B  
Laurel, MS 39440*

*Synchrony Bank  
Amazon Credit Card  
P.O. Box 96013  
Orlando, FL 32896*

*USAA 10750 McDermott Fwy  
San Antonio, TX 78288*

*Britton Realty LLC  
P.O. Box 1451  
Waynesboro, MS 39367*

*Club Intrawest  
375 Water St Ste 326  
Vancouver BC BC VGB 5c6*

*Discover  
P.O. Box 30943  
Salt Lake City, UT 84130*

*First State Bank  
708 Azalea Drive  
Waynesboro, MS 39367*

*Internal Revenue Service  
P.O. Box 7346  
Philadelphia, PA 19101-7346*

*One Main Financial  
P.O. Box 183172  
Columbus, OH 43218-3172*

*Rapid Advance Small Business Fin.  
Solutions  
4500 East West Highway 6th Floor  
Bethesda, MD 20814*

*Southern Financial Systems  
P.O. Box 15203  
Hattiesburg, MS 39404*

*Tower Loan-Waynesboro  
909 Robinson St.  
Waynesboro, MC 39367*

*Walter Barker  
44 Fox Hollow  
Laurel, MS 39443*

*Central Sunbelt Federal Credit  
1506 Congress Street #3  
Laurel, MS 39442*

*Department of Revenue  
P.O. Box 23050  
Jackson, MS 39225-3050*

*First Data Global Leasing  
P.O. Box 173845  
Denver, CO 80217*

*Frist State Bank  
P.O. Box 506  
Waynesboro, MS 39367*

*Internal Revenue Service  
c/o Attorney General  
950 Pennsylvania Ave NW  
Washington, DC 20530-0009*

*Wayne General Hospital  
950 Matthew Dr.  
Waynesboro, MS 39367*

*Waynesboro Animal Clinic  
P.O. Box 367  
Waynesboro, MS 39367*

*WE Hutcherson  
34 W E Hutcherson Rd  
Waynesboro, MS 39367*

*Wells Fargo Dealer Services  
P.O. Box 25341  
Santa Ana, CA 92799*

*Yellow Page  
P.O. Box 5010  
Carol Stream, IL 60197*

*Internal Revenue Service  
c/o U.S. Attorney  
501 E. Court St. Ste 4.430  
Jackson, MS 39201*

*Internal Revenue Service  
c/o Asst. US Atty  
1575 20th Ave.  
Gulfport, MS 39501*

*John Lockwood  
Kearns Briven & Monaghan  
20 E Division  
Dover, DE 19901*

*Labcorp Laboratory Corporation of  
America  
P.O. Box 2240  
Burlington, NC 27216*

*Lee Gore Esq  
P.O. Box 18138  
Hattiesburg, MS 39404*

*Lowes/Synchrony Bank  
P.O. Box 530914  
Atlanta, GA 30353*

*Navient/Dept of Education  
P.O. Box 9533  
Wilkes Barre, PA 18773*

*Navient/Dept of Education  
c/o Attorney General  
950 Pennsylvania Ave NW  
Washington, DC 20530-0009*

*Navient/Dept of Education  
c/o U.S. Attorney  
501 E Court St Ste 4.430  
Jackson, MS 39201*

*Navient/Dept of Education  
c/o Asst. US Atty  
1575 20th Ave.  
Gulfport, MS 39501*

**THIS** the 23rd day of August, 2018.

/s/ William H. Leech  
*Of Counsel*